

# **Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels and Fire Rehabilitation Actions**

## ***TMobile Generator – Crown Communication Site – Hayden Peak*** **DOI- BLM-AZ-C010-2011-0006-CX**

### **A. Background**

BLM Office: Kingman Field Office      Lease/Serial/Case File No.: AZA 35535

Proposed Action Title/Type: Right-of-Way (ROW) Application for generator owned by TMobile.

Location of Proposed Action: T. 20 N., R. 15 W., Sec.30

Description of Proposed Action: To issue a ROW for a generator owned by TMobile at the Crown Communications communication site located on Hayden Peak. The generator would be a self contained unit on a concrete pad 3'4" x 10'9" and placed within the existing Crown communication site in a previously disturbed area. The generator would be used for backup power and tested approximately twice monthly. The expiration date would be December 31, 2030 to correspond with the Crown Communications communication site lease.

### **B. Land Use Plan Conformance**

Land Use Plan Name: *Kingman Resource Management Plan/EIS*

Date Approved/Amended: March 1995

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

LR 13a: "All other minor rights-of-way would be evaluated through the environmental review process and granted or rejected on a case by case basis. Existing rights-of-way would be used when possible to minimize surface disturbance." (Page 67)

TE 03: "BLM will manage for conservation of candidate and BLM-sensitive species (and State Listed species) and their habitats. BLM will ensure that actions authorized will not contribute to the need to list any of these species as threatened and endangered (RMP page 29).

WL 55: Protect the important, crucial use, conflict or habitat areas for the threatened, endangered, state-listed or sensitive species (RMP page 584).

### **C: Compliance with NEPA:**

1. The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9,E(12) Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed (See Attachment 1), and none of the extraordinary circumstances described in 516 DM 2 apply.

In consideration of the proposed action for a ROW and the terms and conditions identified in Exhibit B, no significant impacts are expected.

**D: Signature**

Authorizing Official: J Neckels Date: 12/16/10  
(Signature)

Name: Jackie Neckels

Title: Assistant Field Manager, Nonrenewable Resources

**Contact Person**

For additional information concerning this CX review, contact Joyce Cook, Realty Specialist, Kingman Field Office, 2755 Mission Blvd., Kingman, AZ 86401, 928-718-3716.

## Attachment 1: Extraordinary Circumstances Review

Extraordinary Circumstances	Comment (Yes or No with supporting Rationale)
1. Have significant effects on public health or safety.	No. While Hayden Peak does not have public vehicular access there is nothing to prevent the public from accessing the site on foot. This is expected to be minimal due to the ruggedness of the terrain. The generator is a self-contained unit.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988) national monuments; migratory birds; and other ecologically significant or critical areas.	No. The area has been and continues to be heavily impacted by communication facilities since the 1950's. None of the natural resources and unique geographic characteristics listed will be impacted.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No. The site is existing and within a Land Use Plan designated communication site.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No. The site is existing and within a Land Use Plan designated communication site.
5. Establishes a precedent for future action or represents a decision in principle about future actions with significant environmental effects.	No. Hayden Peak is a Land Use Plan designated communication site.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No. The existing site is within a Land Use Plan designated communication site.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	No. Hayden Peak has been used for communication facilities since the 1950's or before. A cultural clearance was conducted in 1985. No cultural sites were found. There are no National Register eligible properties in the area.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	No. There is no critical habitat where the ROW would be located. It has been determined that there would be no affect to Threatened and Endangered species (Biological Evaluation 9-2009).
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No. This action does not violate any Federal, state or tribal laws or requirements to protect the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No. The closest residential development is 1¼ miles to the northeast.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	No. The proposal would not have any impact on sacred sites. Foot access is not restricted. If vehicular access were needed for ceremonial use, it would be allowed. The proposal is within an existing communication site authorization and within a designated Land Use Plan communication site.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	No. The ROW would not contribute to the spread of noxious weeds.

## Approval and Decision

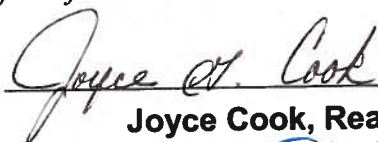
### Attachment 2

**Compliance and assignment of responsibility** (Type Program or Employee):  
Lands and Realty Staff

**Monitoring and assignment of responsibility:** (Type Program or Employee):  
Lands and Realty Staff

**Review:** *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.*

**Prepared by:**

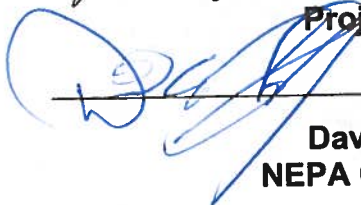


Joyce Cook, Realty Specialist  
Project Lead

**Date:**

12/8/10

**Reviewed by:**

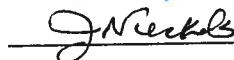


David Brock  
NEPA Coordinator

**Date:**

12/13/2010

**Reviewed by:**



Jackie Neckels  
Supervisor

**Date:**

12/14/10

**Project Description:** To issue a ROW for a generator owned by TMobile at the Crown Communications communication site located on Hayden Peak. The generator would be a self contained unit on a concrete pad 3'4" x 10'9" and placed within the existing Crown communication site in a previously disturbed area. The generator would be used for backup power and tested approximately twice monthly. The expiration date would be December 31, 2030 to correspond with the Crown Communications communication site lease.

**Decision:** Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, subject to the Exhibits shown below.

**Approved By:**



Jackie Neckels

Assistant Field Manager, Nonrenewable Resources

**Date:**

12/14/10

#### Exhibits:

A. Crown Hayden Peak Diagram

B. Stipulations



**EXHIBIT B**  
**Terms and Conditions**  
**AZA 35535**  
**November 2010**

1. The right-of-way serial number, AZA 35535, shall be stenciled in two-inch letters/numbers on the south side of the generator.
2. The generator shall be painted the same color as the associated Crown Communications facilities.

On behalf of T Mobile, I have reviewed these stipulations and conditions and agree with them.

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for T Mobile

Date